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APPLICATION NO.	FILIN	IG DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,732	07/10/2003		Hitomi Sakurai	S004-5072	2757
75	590	12/06/2004		EXAMINER	
ADAMS & W	/ILKS		LUK, OLIVIA T		
31st Floor 50 Broadway				ART UNIT	PAPER NUMBER
New York, NY 10004				2812	
			DATE MAILED: 12/06/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)				
		10/616,732	SAKURAI, HITOMI				
	Office Action Summary	Examiner	Art Unit				
		Olivia T Luk	2812				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
Status							
1)	Responsive to communication(s) filed on	_·					
2a) <u></u> ☐	This action is FINAL . 2b)⊠ This	action is non-final.					
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Dispositi	on of Claims						
 4) ☐ Claim(s) 1-4 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-4 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. 							
Applicati	ion Papers						
9)[The specification is objected to by the Examine	r.					
10)	10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.						
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
11)	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority ι	under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.							
Attachmen		_					
2) Notice	te of References Cited (PTO-892) te of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) r No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal Pa 6) Other:					

Application/Control Number: 10/616,732

Art Unit: 2812

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Noguchi et al. (6,815,330 B2).

In re claim 1, Noguchi et al. disclose forming a first silicon oxide film (col. 14, lines 57-60); nitriding the first silicon oxide film (col. 4, lines 1-10); and removing at least a part of the first silicon oxide film with a chemical containing at least an ammonia-hydrogen peroxide solution and forming a second silicon oxide film in at least a portion where the first silicon oxide film is removed (col. 27, lines 1-24).

In re claim 3, Noguchi et al. disclose forming a first silicon oxide film; nitriding the first silicon oxide film (col. 4, lines 1-10); and removing at least apart of the first silicon oxide film, washing the silicon substrate with a chemical containing at least an ammonia-hydrogen peroxide solution, and forming a second silicon oxide film in at least a portion where the first silicon oxide film is removed (col. 27, lines 1-24).

In re claims 2 and 4, Noguchi et al. disclose wherein in the nitriding of the first silicon oxide film, an inert gas containing at least an ammonia gas is used (col. 4, lines 1-10).

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Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. References not applied are considered state of the art in the area of semiconductor manufacture.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olivia T Luk whose telephone number is 571-272-1676. The examiner can normally be reached on 7AM to 4PM Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Niebling can be reached on 571-272-1679. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

OTL

December 2, 2004

John F. Niebling Supervisory Patent Examiner Technology Center 2800